

NARRAGANSETT TOWN COUNCIL

REGULAR MEETING

MAY 20, 2019 MINUTES

A Regular Meeting of the Town Council of the Town of Narragansett was held on Monday, May 20, 2019 at 7:36 PM, at the Narragansett Town Hall.

Present: Matthew M. Mannix, President
Jill A. Lawler, President Pro Tem
Richard Lema, Member
Patrick W. Murray, Member
Jesse Pugh, Member
Sean Corrigan, Acting Town Manager
Mark A. Davis, Town Solicitor

Council President Mannix called the meeting to order and led those in attendance in Pledging Allegiance to the Flag.

APPROVAL OF MINUTES:

- May 6, 2019 Executive Session: Removed for future consideration.
- May 6, 2019 Regular Meeting: Motion by Councilor Lawler, seconded by Councilor Lema to approve the minutes as presented. So unanimously voted.
- May 13, 2019 Work Session (rights-of-way): Motion by Councilor Lawler, seconded by Councilor Lema to approve the minutes as presented. So unanimously voted.
- May 13, 2019 Executive Session: Removed for future consideration.

ANNOUNCEMENTS/PRESENTATIONS:

- **Nyhart Inc. – OPEB and Pension Plan Update**
Carter M. Angell, FSA, EA, MAAA and Brian Nichols, EA, MAAA
Mr. Angell reported the pension funding has increased from 64.6% to 66.8% for the period ending June 30, 2018. His firm is in the process of preparing a Plan Document for the Town, which will codify, consolidate and organize related pension provisions of the various collective bargaining agreements and ordinances. He recommended the long-range plan of the Town continue to be meeting the recommended annual contributions. Mr. Nichols reported that OPEB liabilities decreased from \$38.4 to \$33.4 million. By 2048, he said the OPEB obligation will be 67.9% funded if the Town continues with the flat contribution of \$3 million annually or using the pay-go method, or it could be 85.5% funded if contributions are made as recommended instead.
- **Town Hall Façade Project**
Tracy Donnelly of RGB Architects and Public Works Director Michael DiCicco presented conceptual illustrations of the planned project. They said the plan would address existing water infiltration and the lack of clearly defined accessibility to the building. Director DiCicco said the brick restoration could come from this year's budget, with the remainder of necessary funding being spread over several years.

CONSENT AGENDA: Motion by Councilor Lawler, seconded by Councilor Lema to approve the Consent Agenda, as presented (9 items). So unanimously voted. The Consent Agenda consisted of:

1. A MOTION TO AWARD the bid for the Purchase of **Sodium Hypochlorite** for Water Division to the lowest bidder, Univar USA, Inc. at \$49.71/15-gallon tamper resistant drum for a two (2)-year period, ending April 30, 2021.
2. A MOTION TO APPROVE a one-year contract extension for **Concrete Blocks and Related Materials** for the Public Works Department with Anchor Concrete at their quoted bid prices, under the same terms and conditions as the original bid.
3. A MOTION TO APPROVE the use of the State of Rhode Island Master Price Agreement #136 for **Heating, Ventilation & Air Conditioning Services & Repair** with twelve (12) vendors for the period ending April 30, 2021.
4. A MOTION TO APPROVE the **waiver of interest** for taxpayers in accordance with Ordinance 2010-936.
5. A MOTION TO APPROVE the list of **Motor Vehicle Abatements** in the amount of \$18.50 and the list of **Motor Vehicle Addendums** in the amount of \$186.05.
6. A MOTION TO APPROVE the renewal of a **Secondhand Goods Dealer** license for Joseph Stanelun dba No Common Cents, Inc., 140 Point Judith Road, Suite A2, Narragansett, RI subject to local and state regulations.
7. A MOTION TO APPROVE an **Itinerant Vendor** license application for Keith Lambert dba New England Novelty, 120 Knowlesway Extension, Unit #1, Narragansett, RI, subject to local and state regulations.
8. A MOTION TO APPROVE a **Victualling** License application for David Thomas dba Benny's Clam Shack LLC at 12 Sand Hill Cove Road, Narragansett, RI, subject to local and state regulations.
9. A MOTION TO APPROVE two (2) **Peddler** License applications for Jennifer Fogarty dba Gansett Poke, and David Spaziano dba Greenwich Bay Oyster Bar, subject to local and state regulations.

NEW BUSINESS:

TOWN MANAGER

10. Motion by Councilor Lawler, seconded by Councilor Lema to introduce, read, pass and accept as a first reading the **Appropriation Ordinance for the 2019-20 Fiscal Year**.

Finance Director Christine Spagnoli said all revenues and expenditures are included in the proposed ordinance. Councilor Murray noted the FY2019 allocation to the library was \$841,000 and the FY2020 allocation has been reduced to \$400,000. Council President Mannix said the library has a surplus of \$686,000. Councilor Lema said the library's fund balance should be used to maintain the building and the Town cannot continue the same level of allocation while other budgets are cut. Councilor Pugh said they needed the fund balance last year and will again this year to pay pensions taken away by the last Council. He said some Council members are engaging in extortion to get what they want.

Regarding the pensions, Councilor Lawler said current and former town solicitors have advised that library employees are not town employees (confirmed by Solicitor Davis). Director Spagnoli said the Town's pension statements include library employees who were previously included. Motion so voted by 3 in favor, Councilors Murray and Pugh opposed. Second reading and adoption will be scheduled for June 3, 2019.

11. Motion by Councilor Lawler, seconded by Councilor Lema to adopt a Resolution approving the **Capital Improvement Plan**. So unanimously voted.
12. Motion by Councilor Lawler, seconded by Councilor Lema to introduce, read, pass and accept as a first reading a resolution amending the **Official List of Parking Restrictions and Regulations** in the Town of Narragansett in accordance with the Narragansett Code of Ordinances with regard to Conant Avenue and Pilgrim Avenue.

Councilor Lawler said she had been contacted by a Pilgrim Avenue property owner who would like to address Council with a proposal.

William Cherella said he lives on Calef Avenue and also owns property on Pilgrim Avenue. He said one of the considerations when he purchased was that there was no parking at these rights-of-way. He said he supports access and has not had a problem. He is offering some of his Pilgrim Avenue property to create 6 parking spaces in lieu of 3 parking space proposal for the eastern end of Pilgrim. He said there might be a wetlands issue, which he was willing to address at his own expense. He said access is a right, but parking is a privilege, and property damage is happening due to parking. He said he was trying to offer a fair solution, and suggest another work session.

Community Development Director Michael DeLuca said a wetlands study should take a month or two. Councilor Pugh agreed with continuing to another work session. Councilor Murray said the proposed 3 spaces on Calef Avenue should be approved now.

Raymond Farnum asked Council to reconsider, because the proposed ordinance would eliminate 2 parking spaces on Calef Avenue.

Medelise Reifsteck said further attention was needed and that these CRMC recognized rights-of-way were established to be used by all of the public.

Dina Silvaggio said taxpayers have coexisted with the surfers. She said the Rose Nulman Park was two streets over, open to public, has an enormous parking area and safe access to water. She opposed graveled parking areas.

Keith Kyle offered four documents that establish Conant, Calef and Pilgrim Avenues as CRMC rights-of-way. [Documents submitted to Clerk Donovan.]

Council President Mannix said another work session could be scheduled when the Town Manager can report to Council that the wetlands survey is ready. Councilor Murray noted the rights-of-way were 50 feet wide.

Motion by Councilor Lawler, seconded by Councilor Murray to continue the matter until further plans can be reviewed. So unanimously voted.

PUBLIC WORKS DEPARTMENT

13. Motion by Councilor Lawler, seconded by Councilor Lema to authorize the use of the Miscellaneous Repair and Construction Services Contract with George Sherman Sand & Gravel, Inc. to complete a **drainage pipe extension on Elizabeth Road**, in the amount of \$10,021.00. So unanimously voted.

PARKS AND RECREATION DEPARTMENT

14. Motion by Councilor Lawler, seconded by Councilor Lema to award the bid for **Playing Courts Rehabilitation Project** to the sole bidder, Joyce Construction, Inc., in the amount of \$106,122.00. Councilor Pugh noted funding was taken from the library allocation. Motion so voted by 3 in favor, Councilor Pugh opposed and Councilor Murray abstaining.

ENGINEERING DEPARTMENT

15. Motion by Councilor Lawler, seconded by Councilor Lema to introduce, read, pass and accept as a first reading an ordinance in amendment of **Chapter 78 “Utilities”, Article III (Sewers)**, Section 78-247 “Definitions” and Section 78-284 “Annual permit fees; permit application fees; annual monitoring fees for commercial/industrial users”. So unanimously voted. Second reading scheduled for June 3, 2019.

HUMAN RESOURCES DEPARTMENT

16. Motion by Councilor Lawler, seconded by Councilor Lema to adopt the resolution establishing the proposed **wages for seasonal, part-time, and temporary employees for Fiscal Year 2019-20**. So unanimously voted.

COMMUNITY DEVELOPMENT DEPARTMENT

17. Motion by Councilor Murray, seconded by Councilor Pugh to read, pass and accept as a first reading an ordinance in amendment of Chapter 731 of the Code of Ordinances of the Town of Narragansett, Rhode Island, entitled “Zoning”, specifically a new subsection; Section 4.8.4 - **Boon Street Special District**, as introduced on March 18, 2019.

Councilor Pugh said he had researched the water issues that have been raised and that they were separate from this zoning proposal. Councilor Lema there has been a long-standing water problem nearby and he wanted to see it resolved, once and for all. Councilor Murray said the water issue is a civil matter between two property owners on Continental Road, and it did not make sense to hold this zoning ordinance amendment up any longer. Councilor Lawler said she would like to see the new Town Manager address this, and suggested waiting until then.

Motion failed with Councilor Pugh in favor, Councilors Mannix, Lawler and Lema opposed, and Councilor Murray abstaining.

18. Motion by Councilor Lawler, seconded by Councilor Lema to read, pass and adopt as a second reading, “An ordinance in amendment of Chapter 731 of the Code of Ordinances of the Town of Narragansett, Rhode Island, entitled “Zoning”, specifically text revisions to Section 6.4 (Dimensional Regulations), as pertains to the **height of Accessory Structures**. So unanimously voted.

TOWN COUNCIL

19. Motion by Councilor Lawler, seconded by Councilor Lema to schedule a work session on Friday, May 24, 2019 at 3:00 PM with town staff regarding the process and procedure of **hiring the Town Manager** for the Town of Narragansett, dependent upon availability. Manager Corrigan thanked the Council for the opportunity and commended the staff, solicitor and community for their support. He said he was looking forward to returning to his 22+ year career in law enforcement as Chief of Police. Motion so unanimously voted.
20. Motion by Councilor Pugh, seconded by Councilor Murray to advertise, market and provide a public process for the **sale of the Belmont/IGA Building & Premises** in an effort to obtain the Highest and Best offer for Narragansett's Taxpayers.

Councilors Pugh and Murray indicated they did not want to sell the building, but wanted transparency if that is the intent of the Council. Councilor Lawler said it was not an appropriate motion, as it has been the subject of executive session.

Winters Hames III said the library is a bipartisan issue. He said he would be running for election again and wanted any buyers to know he would try to get it back by eminent domain.

Laurie Kelly asked if there had been discussions with the current tenant. She asked the Council to speak to why they do not want to show the property to other potential buyers.

Councilor Lawler moved the question.

Nancy DiNuccio asked how much it is costing the Town to hold onto the building, to which Councilor Murray replied \$9,800 per month.

Margaret Rogers said this is being recognized as a back room deal and that is why this motion was on.

Unidentified speaker said Council should make the deal open and transparent.

Paul Zonfrillo said if negotiations are in process that all Council members are aware of, this motion was a stunt.

Motion failed with 2 in favor, Councilors Mannix, Lawler and Lema opposed.

LIBRARY

21. Motion by Councilor Pugh, seconded by Councilor Murray to approve **partial repairs to the roof of the Maury Loontjens Memorial Library** to be completed by Abcore Restoration Company, Inc. in the amount not to exceed \$25,100.

Manager Corrigan said the RFP for the building was currently being evaluated.

Library Director Patti Arkwright said the Library Board of Trustees voted for the repairs to be done now, as the roof is leaking.

Manager Corrigan said he had spoken with the Town Engineer, who said this repair would not conflict the RFP. Councilor Pugh said this expenditure would come from the library's reserve fund. Councilor

Lawler said this work and money would be wasted if it were decided to go up another floor. Director Arkwright said the roof has been leaking for 6 to 9 months, and they are using buckets to capture the leaks, and that she had asked for a quote in January.

Trustees Chair Laurie Kelly said funding for repairs are routinely taken out of the library's reserve fund, and they have never asked for this kind of work to be paid for with Town funds. She said this would be an emergency repair. Manager Corrigan confirmed that the expenditure would come from the library fund.

Motion so voted by 3 in favor, Councilors Lawler and Lema opposed.

OPEN FORUM:

Carolyn Dileo said the library has been saving for years, and the fund includes donations where donors specified what they wanted the money spent on, so the Council has no right to that money. She said the loss of state funding would impact future local taxes.

Nancy DiNuccio said the school department has a \$4.3 million fund balance and the Council added to their budget.

Carlene Towne said the library bond question said "acquire and renovate", so that money cannot now be used to renovate the existing site.

Mary Wiesz Smith said students look up to Councilors Pugh and Murray as leaders, and this was about more than just the library.

Maeve VanCuyghen said the town needs a library and the speakers are here to save the town of Narragansett.

Veronica Sabatino said there is nothing more empowering than the library and the opportunities it provides.

Laurie Manton said the library is the core of education.

Laura Sastic said cutting the library budget by over 50% would hurt our town. She said she was a proud employee of the Maury Loontjens Memorial Library, and that libraries represent democracy and equality. She urged restoration of the full budget.

Joan Mulligan said there should be a vote on the library, as the inertia is costly.

Emily Staples said the library was the heart of our town.

Pat Sabatino said the library should be level funded at \$841,000. She said the four Pier School students who just spoke are scholastic award winners and the library was part of that educational success.

Carol Fortin said there was seating available for only 195 people and asked why the meetings had not been moved to the high school for more ample seating and parking. She said the library budget is being held hostage.

Rep. Teresa Tanzi said the Council should not turn down state funding that is available through maintenance of effort. She said the town would be losing opportunities and it was incomprehensible.

Gloria Roman said the voters approved a bond to purchase and renovate, and that there are over \$2 million in pledged donations if the library goes to the Belmont site. She said every day delayed wastes money.

Suzan Amoruso said we are paying taxes to the state but we are one of only five communities that have not taken advantage of the available state funding.

Mal Goldenberg said meetings should be at the high school to allow room for all. He said Council needs to allow architects into the Belmont building to get the needed information to determine suitability.

William Bivona said the Council is missing an opportunity to build something that all can be proud of, and they are getting the reputation of being obstructionists.

Ms. Rogers said Councilors Lawler and Mannix dismantled the Economic Development Committee in 2016. She recommended everyone support local businesses.

Ms. Kelly said the library question should be revoted.

Susan Cicilline-Buonanno said, as the 2016 Council President, she led the Council to the question to purchase a new library. She said over 67% of the residents voted to purchase Belmont for the new location. She said there were two options at the time: renovate the existing building or build a new one. Together, the Council and Library Board determined it was the best value to purchase Belmont. She said the new Council voted to sell within two months of their election, and are now voting to cut the library budget in half. She said the Council is dismantling our library, and it was like a personal vendetta against her. She said the residents will never give up, and the Council should be on the right side of Narragansett history.

Jessica Wilson said she was a librarian in another town, and noted every speaker has been in favor of the library.

Paul Zonfrillo said elections have consequences, and that no one holds the Trustees accountable. He said there is a difference between extortion and negotiation, and the Trustees should negotiate.

Sheila Sweeney said she was curious as to why there are split votes if the Council has a buyer, and the need for further executive sessions.

Catherine Celeberto said it appears the library has not been spending the money they have been requesting from the town and state. She said they are jeopardizing funding by identifying needs, then not spending money on those needs. She said all the good experiences cited took place at the existing library.

Director Arkwright said she fills out a report each year with Chair Kelly and the Finance Director, and she did not like being accused of not doing what we said we would do.

Stanley Wojciechowski said the Council should make all departments trim their fund balances. He said rental property taxes are 40% higher than the residential rate, and that was not just.

John Rogers referred to existing neighborhood water problems in the Boon Street area, and said one of Michael Vickers' properties has impacted a neighboring property and that needed to be resolved. He made reference to easements for James Durkin's benefit, and said the Town should work on resolving water problem. [Documents were submitted to Clerk Donovan.]

Jeannine Marsh said they have been waiting so long for resolution of the water problem, and she questioned whether Councilor Murray had a conflict of interest to vote on this issue. [Documents were submitted to Clerk Donovan.]

EXECUTIVE SESSION:

Motion by Councilor Lawler, seconded by Councilor Lema to retire to Executive Session of the Town Council in accordance with RI General Laws §42-46-4 and §42-46-5(a) for the following purposes:

- Litigation – litigation (potential) in accordance with RIGL 42-46-5(a)(2)
- Collective Bargaining – Police (IBPO Local 303) labor contract in accordance with RIGL 42-46-5(a)(2).
- Real Estate – acquisition or lease of real property (former Belmont property) for public purposes, or of the disposition of publicly held property in accordance with RIGL 42-46-5(a)(5), as continued from May 13, 2019.

<u>Roll Call Vote:</u>	Council President Mannix:	Aye
	Council President Pro Tem Lawler:	Aye
	Councilor Lema:	Aye
	Councilor Murray:	Aye
	Councilor Pugh:	Nay

ADJOURNMENT: 10:15 PM.

ATTEST:

MINUTES ACCEPTED AS
PRESENTED: June 3, 2019



Theresa C. Donovan, CMC
Council Clerk



Theresa C. Donovan, CMC
Council Clerk

A digital format has been made a part of the record for a complete account of the Council meeting.

<https://www.youtube.com/watch?v=viPNM9U-ejc>